

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES EDKINS,

Plaintiff,

Case No. 14-11054

v.

Hon. John Corbett O'Meara

UNITED STATES OF AMERICA,

Defendant.

**ORDER DENYING MOTION
FOR RECONSIDERATION**

Before the court is Plaintiff's motion for reconsideration of appointment of counsel. Plaintiff requested counsel to be appointed in this tax case. The court denied the motion, noting that the complaint did not reveal "exceptional circumstances" warranting the appointment of counsel and that Plaintiff has not explained his efforts to obtain counsel. Following the filing of Defendant's motion for summary judgment, Plaintiff seeks reconsideration of the court's order denying the appointment of counsel.

The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable

implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(h)(3). A motion for reconsideration “is not properly used as a vehicle to re-hash old arguments or to advance positions that could have been argued earlier but were not.” Smith v. Mount Pleasant Schools, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (citing Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 357, 374 (6th Cir. 1998)).

Plaintiff notes that Defendant is represented by “formidable” counsel and that Plaintiff has never “tackled anything this complicated before.” Although the court understands Plaintiff’s position, Plaintiff’s situation is no different than the majority of pro se litigants. Absent “exceptional circumstances,” the court is without resources to provide counsel as a matter of course to litigants in civil cases.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for reconsideration is DENIED. Plaintiff has until **November 16, 2015**, to submit a brief in response to Defendant’s motion for summary judgment.

s/John Corbett O’Meara
United States District Judge

Date: October 13, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 13, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager